

REMARKS

Introduction

Claims 1-23 were pending. Claims 1, 18, and 23 are independent. Claims 3 and 19 have been cancelled. Claims 1, 18, and 23 have been amended.

Rejections under 35 U.S.C. § 102(b)

Claims 1-7 and 9-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0176973 (Lapeze et al.) in view of U.S. Patent Application Publication No. 2005/0182767 (Shoemaker).

Lapeze et al. describes a contact management and control system for managing contact events associated with an enterprise. The contact management system detects a contact event and actuates a contact manager to retrieve information pertaining to the contact event from a contact library. If new information is associated with the contact event, the contact library is updated with the new information. Information in the updated library is subsequently disseminated across the enterprise. A contact event has a set of identifying parameters. When a contact event is detected, the event's parameters are compared to a set of predetermined values to detect a match. Parameters associated with the contact event can include a name, priority, subject matter, or any set of flags and codes that may resemble a paper-based phone log system. These parameters are then compared with a set of predetermined values, such as a set for detecting or responding to important contact events. If a match exists, then, in response to the contact event, a number of commands are executed according to a predetermined set of at least one rule.

In contrast to the method described by Lapeze et al., amended claims 1, 18, and 23 of the present application recite, *inter alia*, a method, system and programming device configured to execute steps for managing call reports in a wireless network environment

comprising the steps of receiving a message and information regarding a client matter; determining a distribution list by applying a **predetermined set of business rules that encapsulate legal and ethical requirements for allowing access to the client matter**; creating a call report, the call report including the received message; and allowing access to the call report based on the distribution list.

Nowhere in Lapeze et al. is it described, taught, or a motivation provided for determining a distribution list by applying a **predetermined set of business rules that encapsulate legal and ethical requirements for allowing access to the client matter**. In Lapeze et al., a contact event's parameters are compared to a set of predetermined values to detect a match, which can include a name, priority, subject matter, or the like. These parameters are then compared with a set of predetermined values, such as set for detecting or responding to important contact events. There is no description in Lapeze et al. that the predetermined parameters or rules can include a set of predetermined business rules encapsulating legal and ethical requirements which are applied by the server software to determine whether a user has the right to access a call report.

Shoemaker fails to correct the deficiencies of Lapeze et al. Shoemaker describes a system for transmission of data between a first device operated by a first user and a second device operated by a second user. The system includes a database that is in network communication with the devices, and which receives a first set of data input by the first user and a second set of data input by the second user. The second user can access at least a first portion of the first set of data from the database only after the second user authorizes the first user to access at least a first portion of the second set of data from the database. The first user can specify a hierarchical privacy level for one or more fields of data within the first set of data, and a correlative hierarchical clearance level to the second user, and/or other users of the system. The

clearance level is compared against the first privacy level to determine whether the second user has access to the first portion of the first set of data from the database.

Nowhere in Shoemaker is it described, taught, or a motivation provided for determining a distribution list by applying a **predetermined set of business rules that encapsulate legal and ethical requirements for allowing access to the client matter**. At paragraphs [0082]-[0083] of Shoemaker, the user is requested to select a privacy level for one or more data fields. In general, the privacy level is used in conjunction with a clearance level that the user assigns to each contact to customize which data fields of the user each contact in the user's contact list will be able to view. The user can specify the privacy level to be "High", "Medium" or "Low". Provided the clearance level assigned to the contact is at least as great as the privacy level of a particular data field, the contact will be able to view such data field. Conversely, if the clearance level for the contact is hierarchically lower than the privacy level, the contact will not be able to view the particular data field. The privacy level and clearance level are assigned by a user at the time of sending a message. There is no description in Shoemaker of a set of predetermined business rules encapsulating legal and ethical requirements which are automatically applied by the server software, not the user, to determine whether a contact has the right to access a call report.

Accordingly, applicant submits that neither Lapeze et al. nor Shoemaker, alone or in combination, teaches, suggests, or provides motivation for the invention recited by amended claim 1, 18, and 23 of the present application. Claims 2, 4-7, and 9-17 ultimately depends from claim 1; and claims 19-22 ultimately depend from claim 18. Since claims 1, 18, and 23 have been shown to be patentable, the claims depending therefrom are likewise deemed to be patentable, for at least the reasons described above with respect to the patentability of claims 1, 18, and 23.

Claim 8 stands rejected under 35 U.S.C. 103(a) as unpatentable over Lapeze et al. in view of Shoemaker and further in view of U. S. Patent Application Publication No. 2002/0128036 (Yach et al.). Yach et al. fails to correct the deficiencies of Lapeze et al. and Shoemaker. Yach et al. describes a method and system for transferring instructions (such as telephone call instructions) and information between the data and voice components of a dual mode mobile device. Additionally, Yach et al. provides a method and system for synchronizing data between a computer and mobile device using a cradle when possible, and a wireless data network when necessary. There is no mention in Yach et al. of a method for determining a distribution list in a call report which applies a **predetermined set of business rules that encapsulate legal and ethical requirements for allowing access to the client matter** as stated in independent Claim 1, from which claim 8 depends and includes all the limitations thereof. Accordingly, applicant submits that neither Lapeze et al. nor Shoemaker nor Yach et al., alone or in combination, teaches, suggests, or provides motivation for the invention recited by claim 8 of the present application. Since claim 1 has been shown to be patentable, then claim 8 depending therefrom is likewise deemed to be patentable, for at least the reasons described above with respect to the patentability of claim 1.

Thus, applicant submits that each of the claims of the present application are patentable over each of the references of record, either taken alone, or in any proposed hypothetical combination. Accordingly, withdrawal of the rejections to the claims is respectfully requested.

Conclusion

In view of the above remarks, reconsideration and allowance of the present application is respectfully requested. No fee is believed to be due in connection with this Amendment. If, however, other fees are deemed necessary for this Amendment to be entered and considered by the Examiner, then the Commissioner is authorized to charge such fee to Deposit Account No. 50-1358. Applicant's undersigned patent agent may be reached by telephone at (973) 597-2500. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Date: 4/30/07



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